

Article - Labor and Employment

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§5–217.

(a) In this section, “trade secret” means a device, formula, pattern or compilation of information that:

- (1) is used in the business of an employer;
- (2) gives the employer an opportunity to obtain an advantage over a competitor; and
- (3) is known only to the employer and any employee to whom the employer needs to confide the information.

(b) Except as provided in subsections (c) and (d) of this section, information that contains or might reveal a trade secret and is obtained by the Commissioner or an authorized representative of the Commissioner in connection with an inspection or proceeding under this title is confidential.

(c) The Commissioner may disclose information that contains or might reveal a trade secret to staff who are assigned to carry out this title.

(d) In a proceeding under this title, the Commissioner may disclose information that contains or might reveal a trade secret and is relevant if, before disclosure:

- (1) the court that is conducting the proceeding passes an order that is appropriate to protect the confidentiality of the trade secret; or
- (2) in a proceeding before the Commissioner or authorized representative of the Commissioner, the Commissioner or representative does so.

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